

REMARKS

Claims 1 - 15 remain in this application. Claims 1 - 5 are withdrawn from consideration. Claim 6 has been amended. Claim 16 has been added. Reconsideration of this application in view of the amendments noted is respectfully requested.

In the Office Action, claim 6 was rejected under 35 U.S.C. Section 112, first paragraph, as failing to comply with the enablement requirement. Specifically, the limitation that “the loudspeaker includes a non-circular narrow opening arrangement, comprising at least one elongated narrow opening which is high vertically and narrow horizontally in from of said diaphragm in the construction forming chamber and leading away from chamber, to allow air to pass from chamber to the free space” was found to be not supported by the specification. Applicant respectfully traverses this rejection.

To begin, this portion of claim 6 has been deleted. Claim 6 has been amended to read in part that the pillar loudspeaker includes “an essentially closed chamber with a passage to free space to allow air to pass from the chamber to the free space” and “a facade board that includes one elongated, narrow, non-circular opening opposing the diaphragm in the chamber, the opening being high vertically and narrow horizontally.” Claim 6 has also been amended to read in part: “the cabinet construction being arranged to prevent acoustic feedback by enclosing one side of said diaphragm within it, the other side having an air connection to the free space.” This embodiment is shown for example in FIG. 2e. Applicant submits that these limitations are enabled by the specification and drawings.

Furthermore, applicant notes that the specification was previously amended to change the word “port” to --narrow opening--, as the term narrow opening is a more accurate translation of the Finnish word “rako” found in the parent application. Further, with reference to the paragraph beginning on page 5, line 8 of the specification, this portion of the specification states that the narrow opening is high vertically and narrow horizontally, i.e., having a height much greater than its width. This supports the narrow opening being “elongated” as elongated means stretched out, slender, and extended in length. This paragraph also states that the diaphragm may be as much as 5 meters high and

50 millimeters wide. The specification later states at page 12, lines 32 – 34 that the width of the narrow opening 27 is 12 – 30%, preferably about 20%, of the width W of diaphragm 13. Therefore, it is clear that the opening is narrow since it has a width that is approximately 20% of 50 millimeters (i.e., approximately 10 millimeters). Finally, the drawings also support the narrow openings 27, 45 being elongated, narrow, and non-circular (see for example Figs. 1c, 1d, 2c, 2d, and 2e).

For these reasons, applicant submits that claim 6 is enabled by the specification and respectfully requests that the Section 112, first paragraph rejection of claim 6 be withdrawn.

Claims 6 – 14 were rejected under 35 U.S.C. Section 103(a) as being unpatentable over Marquiss (U.S. Patent No. 4,385,210) in view of Zelinka et al. (U.S. Patent No. 6,097,830, hereinafter “Zelinka”). Applicant respectfully traverses this rejection. Marquiss does not teach or suggest a cabinet construction enclosing one side of a diaphragm within it, the other side of the diaphragm having an air connection to free space, and a facade board that includes one elongated, narrow, non-circular opening opposing the diaphragm in the chamber, the opening being high vertically and narrow horizontally, as claim 6 requires. The relief ports 64 in Marquiss are round holes and therefore structurally different than the present invention.

Turning to Zelinka, Zelinka discloses a planar magnetic transducer having a thermal stress relief conductor pattern on its diaphragm. Zelinka includes an inner planar frame 30 mounted to both sides of the diaphragm and an outer frame 20 having frame sections 21 and 22 mounted on either side of the diaphragm and including open central areas 23 and 24 on both sides of the diaphragm. One or more magnets 28 are fixedly mounted to each of the frame sections 21 and 22 in a spaced relationship to each other and extend from an inside surface of each frame section across the open central areas 23 and 24.

Zelinka does not teach or suggest a loudspeaker having an essentially closed chamber, a cabinet construction supporting a diaphragm at one side of the chamber, the cabinet construction enclosing one side of the diaphragm within it, the other side of the

diaphragm having an air connection to free space, and a facade board that includes one elongated, narrow, non-circular opening opposing the diaphragm in the chamber, the opening being high vertically and narrow horizontally. Zelinka is a planar loudspeaker that does not have a cabinet construction forming a chamber, i.e., an open inner space. Therefore, Zelinka does not disclose a cabinet construction that encloses one side of the diaphragm. Instead, Zelinka is planar, has no chamber, and the planar frame on either side of the diaphragm is open to free space via the open central areas 23 and 24. Neither side of the diaphragm of Zelinka is enclosed. Further, Zelinka does not disclose an elongated narrow opening in the opposite side of the diaphragm in the chamber, as claim 6 requires. In Zelinka, the diaphragm is not in a chamber. For these reasons, no combination of Zelinka with Marquiss results in the present invention.

Claim 6 of the present application is therefore patentable over Marquiss and Zelinka, and any combination of Marquiss with Zelinka. Claims 7 – 14, depending directly or indirectly from claim 6, are therefore also allowable. Hence, applicant submits that claims 6 – 14 are patentable over Marquiss and Zelinka and respectfully requests that the Section 103(a) rejection of these claims over Marquiss and Zelinka be withdrawn.

Claim 15 was rejected under Section 103(a) as being unpatentable over Marquiss in view of Zelinka and further in view of Mori (JP 59-086997). Applicant respectfully traverses this rejection. To begin, applicant incorporates by reference the arguments made with respect to Marquiss and Zelinka above. Based upon those arguments, claim 6 is allowable over Marquiss and Zelinka. Claim 15, depending indirectly from claim 6, is therefore also allowable over Marquiss and Zelinka, and further over the combination of Marquiss and Zelinka with Mori. Hence, applicant respectfully requests that the Section 103(a) rejection of claim 15 over Marquiss, Zelinka, and Mori be withdrawn.

Independent claim 16 has been added to this application. Claim 16 is similar to independent claim 6. In new claim 16, however, the pillar loudspeaker includes “an essentially closed chamber with a passage to free space to allow air to pass from the chamber to the free space, a cabinet construction supporting a diaphragm at one side of the

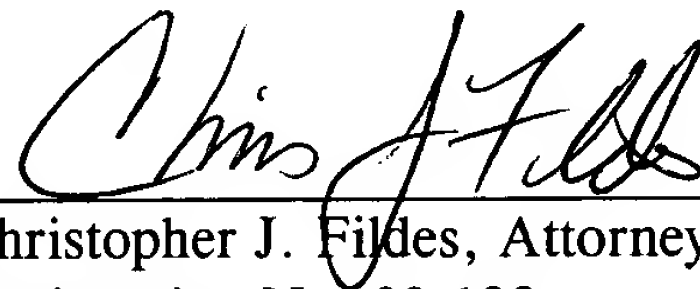
chamber,” and “the passage includes two opposed, elongated, narrow, non-circular openings on opposite sides of the cabinet construction wherein the diaphragm is generally in the middle, each opening being high vertically and narrow horizontally.” This embodiment is shown in FIGS. 1d, 2d, 4a, and 4c. Applicant submits that claim 16 is also allowable over the cited references.

This amendment and request for reconsideration is felt to be fully responsive to the comments and suggestions of the examiner and to place this application in condition for allowance. Favorable action is requested.

Respectfully submitted,

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Fildes & Outland, P.C.

A handwritten signature in cursive script, appearing to read "Chris J. Fildes", written over a horizontal line.

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